

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

TONY RAY COBBS, SR., )  
                            )  
Plaintiff,               )     Case No.: 4:11-cv-00011  
                            )  
v.                        )     **ORDER**  
                            )  
BOTTLING GROUP, LLC,   )     By: Jackson L. Kiser  
                            )     Senior United States District Judge  
Defendant.              )

**ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

On November 23, 2011, Defendant Bottling Group, LLC ("Pepsi") filed its Motion for Summary Judgment ("the Motion") against *pro se* Plaintiff, Tony Ray Cobbs, Sr. ("Cobbs"). Pepsi supported the Motion with an affidavit, deposition testimony, and evidentiary support. Cobbs filed a brief response, indicating his intention to file affidavits but including none. I heard oral arguments on the Motion on December 16, 2011, at which time Cobbs had still failed to offer any support for his claims. The Motion is now ripe for decision and, for the reasons stated in the accompanying Memorandum Opinion, I hereby GRANT Defendant's Motion for Summary Judgment and DISMISS this case from the docket of the Court.

The clerk is directed to send a copy of this Order and Memorandum Opinion of Plaintiff and all counsel of record.

Entered this 21<sup>st</sup> day of December, 2011.

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s/Jackson L. Kiser  
SENIOR UNITED STATES DISTRICT JUDGE